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Mr. Webster's speech
in answer to
Mr. Calhoun
March 22, 1838

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Mr. WEBSTER'S SPEECH

IN ANSWER TO Mr. CALHOUN,

MARCH 22, 1838.

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SPEECH.

On Thursday, the 22d of March, Mr. CALHOUN spoke at length in answer to Mr. WEBSTER's speech of March 12.

When he had concluded, Mr. WEBSTER immediately rose, and addressed the Senate as follows:

Mr. PRESIDENT:

I came rather late to the Senate this morning, and happening to meet a friend on the avenue, I was admonished by him to hasten my steps, as "the war was to be carried into Africa," and I was expected to be annihilated. I lost no time in following the advice, sir, since it would be awkward for one to be annihilated without knowing any thing about it.

Well, sir, the war has been brought into Africa. The honorable member has made an expedition into regions as distant from the subject of this debate as the orb of Jupiter from that of our earth. He has spoken of the tariff, of slavery, and of the late war. Of all this I do not complain. On the contrary, if it be his pleasure to allude to all, or any of these topics, for any purpose whatever, I am ready at all times to hear him.

Sir, this carrying the war into Africa, which has become so common a phrase among us, is, indeed, imitating a great example; but it is an example which is not always followed by success. In the first place, sir, every man, though he be a man of talent and genius, is not a Scipio; and in the next place, as I recollect this part of Roman and Carthaginian history—the gentleman may be more accurate—but as I recollect it, when Scipio resolved upon carrying the war into Africa, Hannibal was not at home. Now, sir, I am very little like Hannibal, but I am at home; and when Scipio Africanus South Carolinaensis brings the war into my territories, I shall not leave their defence to Asdrubal, nor Syphax, nor any body else. I meet him on the shore, at his landing, and propose but one contest.

"Concurritur;
"Aut cita mors, aut victoria læta."

Mr. President, I had made up my mind that if the honorable gentleman should confine himself to a reply, in the ordinary way, I would not say another syllable. But he has not done so. He has gone off into subjects quite remote from all connexion with revenue,

commerce, finance, or sub-treasuries, and invites to a discussion which, however uninteresting to the public at the present moment, is too personal to be declined by me.

He says, sir, that I had undertaken to compare my political character and conduct with his. Far from it. I attempted no such thing. I compared the gentleman's political opinions at different times, with one another, and expressed decided opposition to those which he now holds. And I did, certainly, advert to the general tone and drift of the gentleman's sentiments and expressions, for some years past, in their bearing on the Union, with such remarks as I thought they deserved; but I instituted no comparison between him and myself. He may institute one, if he pleases, and when he pleases. Seeking nothing of this kind, I avoid nothing. Let it be remembered, that the gentleman began the debate, by attempting to exhibit a contrast between the present opinions and conduct of my friends and myself, and our recent opinions and conduct. Here is the first charge of inconsistency; let the public judge, whether he has made it good. He says, sir, that on several questions I have taken different sides, at different times: let him show it. If he shows any change of opinion, I shall be called on to give a reason, and to account for it. I leave it to the country to say whether, as yet, he has shown any such thing.

But, sir, before attempting that, he has something else to say. He had prepared, it seems, to draw comparisons himself. He had intended to say something, if time had allowed, upon our respective opinions and conduct in regard to the war. If time had allowed! Sir, time does allow—time must allow. A general remark of that kind ought not to be, cannot be, left to produce its effect, when that effect is obviously intended to be unfavorable. Why did the gentleman allude to my votes, or my opinions, respecting the war, at all, unless he had something to say? Does he wish to leave an undefined impression that something was done, or something said, by me, not now capable of defence or justification? something not reconcileable with true patriotism? He means that, or nothing. And now, sir, let him bring the matter forth: let him take the responsibility of the accusation: let him state his facts. I am here to answer: I am here, this day, to answer. Now is the time, and now the hour. I think we read, sir, that one of the good spirits would not bring against the arch enemy of mankind a railing accusation; and what is railing, but general reproach—an imputation, without fact, time, or circumstance? Sir, I call for particulars. The gentleman knows my whole conduct well: indeed, the journals show it all, from the moment I came into Congress till the peace. If I have done, then, sir, any thing unpatriotic—any thing which, as far as love to country goes, will not bear comparison with his, or any man's conduct—let it now be stated. Give me the fact, the time, the manner. He speaks of the war; that which we call the late war, though it is now twenty-five years since it terminated. He would leave an impression that I opposed it. How? I was not in Congress when war was declared, nor in public life, anywhere. I was pursuing my profession, and keeping com-

pany with judges, sheriffs, and jurors, and plaintiffs and defendants. If I had been in Congress, and had enjoyed the benefit of hearing the honorable gentleman's speeches, for all I can say, I might have concurred with him. But I was not in public life. I never had been, for a single hour; and was in no situation, therefore, to oppose or to support the declaration of war. I am speaking to the fact, sir; and if the gentleman has any fact, let us know it.

Well, sir, I came into Congress during the war. I found it waged, and raging. And what did I do here to oppose it? Look to the journals. Let the honorable gentleman tax his memory. Bring up any thing, if there be any thing to bring up—not showing error of opinion, but showing want of loyalty or fidelity to the country. I did not agree to all that was proposed, nor did the honorable member. I did not approve of every measure, nor did he.

The war had been preceded by the restrictive system, and the embargo. As a private individual, I certainly did not think well of these measures. It appeared to me the embargo annoyed us as much as our enemies, while it destroyed the business and cramped the spirits of the people.

In this opinion I may have been right or wrong, but the gentleman was himself of the same opinion. He told us, the other day, as a proof of his independence of party, on great questions, that he differed with his friends on the subject of the embargo. He was decidedly and unalterably opposed to it. It furnishes, in his judgment, therefore, no imputation either on my patriotism, or the soundness of my political opinions, that I was opposed to it also. I mean opposed in opinion: for I was not in Congress, and had nothing to do with the act creating the embargo. And as to opposition to measures for carrying on the war, after I came into Congress, I again say, let the gentleman specify—let him lay his finger on any thing, calling for an answer, and he shall have an answer.

Mr. President, you were yourself in the House during a considerable part of this time. The honorable gentleman may make a witness of you. He may make a witness of any body else. He may be his own witness. Give us but some fact, some charge, something capable in itself either of being proved or disproved. Prove any thing, state any thing, not consistent with honorable and patriotic conduct, and I am ready to answer it. Sir, I am glad this subject has been alluded to, in a manner which justifies me in taking public notice of it; because I am well aware that, for ten years past, infinite pains have been taken to find something, in the range of these topics, which might create prejudice against me in the country. The journals have all been poured over, and the reports ransacked, and scraps of paragraphs, and half sentences have been collected, put together in the falsest manner, and then made to flare out, as if there had been some discovery. But all this failed. The next resort was to supposed correspondence. My letters were sought for, to learn if in the confidence of private friendship I had never said any thing which an enemy could make use of. With this view, the vicinity of my former resi-

dence has been searched, as with a lighted candle. New Hampshire has been explored, from the mouth of the Merrimack to the White Hills. In one instance a gentleman had left the State, gone five hundred miles off, and died. His papers were examined—a letter was found, and I have understood it was brought to Washington—a conclave was held to consider it, and the result was, that if there was nothing else against Mr. Webster, the matter had better be let alone. Sir, I hope to make every body of that opinion who brings against me a charge of want of patriotism. Errors of opinion can be found, doubtless, on many subjects; but as conduct flows from the feelings which animate the heart, I know that no act of my life has had its origin in the want of ardent love of country.

Sir, when I came to Congress, I found the honorable gentleman a leading member of the House of Representatives. Well, sir, in what did we differ? One of the first measures of magnitude, after I came here, was Mr. Dallas's proposition for a bank. It was a war measure. It was urged as being absolutely necessary to enable Government to carry on the war. Government wanted revenue—such a bank it was hoped would furnish it; and on that account it was most warmly pressed and urged on Congress. You remember all this, Mr. President. You remember how much some persons supposed the success of the war and the salvation of the country depended on carrying that measure. Yet, the honorable member from South Carolina opposed this bill. He now takes to himself a good deal of merit—none too much, but still a good deal of merit, for having defeated it. Well, sir, I agreed with him. It was a mere paper bank—a mere machine for fabricating irredeemable paper. It was a new form for paper money; and instead of benefiting the country, I thought it would plunge it deeper and deeper in difficulty. I made a speech on the subject: It has often been quoted. There it is; let whoever pleases, read and examine it. I am not proud of it, for any ability it exhibits; on the other hand, I am not ashamed of it, for the spirit which it manifests. But, sir, I say again, that the gentleman himself took the lead, against this measure—this darling measure of the Administration. I followed him; if I was seduced into error, or into unjustifiable opposition, there sits my seducer.

What, sir, were other leading sentiments, or leading measures of that day? On what other subjects did men differ? The gentleman has adverted to one, and that a most important one: I mean the navy. He says, and says truly, that at the commencement of the war, the navy was unpopular. It was unpopular with his friends, who then controlled the politics of the country. But he says he differed with his friends; in this respect, he resisted party influence, and party connexion, and was the friend and advocate of the navy. Sir, I commend him for it. He showed his wisdom. That gallant little navy soon fought itself into favor, and showed that no man, who had placed reliance on it, had been disappointed.

Well, sir, in all this, I was exactly of the same opinion as the honorable gentleman.

Sir, I do not know when my opinion of the importance of a naval force to the United States had its origin. I can give no date to my sentiments on this subject, because I never entertained different sentiments. I remember, sir, that immediately after coming into my profession, at a period when the navy was most unpopular, when it was called by all sorts of hard names, and designated by many coarse epithets, on one of those occasions, on which young men address their neighbors, I ventured to put forth a boy's hand in defence of the navy. I insisted on its importance, its adaptation to our circumstances, and to our national character; and its indispensable necessity, if we intended to maintain and extend our commerce. These opinions and sentiments I brought into Congress; and, so far as I remember, it was the first, or among the first times, in which I presumed to speak on the topics of the day, that I attempted to urge on the House a greater attention to the naval service. There were divers modes of prosecuting the war. On these modes, or on the degree of attention and expense which should be bestowed on each, different men held different opinions. I confess I looked with most hope to the results of naval warfare, and therefore I invoked Government to invigorate and strengthen that arm of the national defence. I invoked it to seek its enemy upon the seas—to go where every auspicious indication pointed, and where the whole heart and soul of the country would go with it.

Sir, we were at war with the greatest maritime Power on earth. England had gained an ascendency on the seas over the whole combined Powers of Europe. She had been at war twenty years. She had tried her fortunes on the continent, but generally with no success. At one time the whole continent had been closed against her. A long line of armed exterior, an unbroken hostile array, frowned upon her from the gulf of Archangel, round the promontory of Spain and Portugal, to the foot of the boot of Italy. There was not a port, which an English ship could enter. Every where on the land the genius of her great enemy had triumphed. He had defeated armies, crushed coalitions, and overturned thrones; but, like the fabled giant, he was unconquerable only while he touched the land. On the ocean, he was powerless. That field of fame was his adversary's, and her meteor flag was streaming in triumph all over it.

To her maritime ascendency, England owed every thing, and we were now at war with her. One of the most charming of her poets had said of her, that

> "Her march is o'er the mountain wave,
> "Her home is on the deep."

Now, sir, since we were at war with her, I was for intercepting this march; I was for calling upon her, and paying our respects to her at home; I was for giving her to know that we, too, had a right of way over the seas, and that our marine officers and our sailors were not entire strangers on the bosom of the deep; I

was for doing something more with our navy, than to keep it on our shores, for the protection of our own coasts and own harbors; I was for giving play to its gallant and burning spirit; for allowing it to go forth upon the seas, and to encounter, on an open and an equal field, whatever the proudest or the bravest of the enemy could bring against it. I knew the character of its officers, and the spirit of its seamen; and I knew that, in their hands, though the flag of the country might go down to the bottom, while they went with it, yet that it could never be dishonored or disgraced.

Since she was our enemy—and a most powerful enemy—I was for touching her, if we could, in the very apple of her eye; for reaching the highest feather in her cap; for clutching at the very brightest jewel in her crown. There seemed to me to be a peculiar propriety in all this, as the war was undertaken for the redress of maritime injuries alone. It was a war declared for free trade and sailors' rights. The ocean, therefore, was the proper theatre for deciding this controversy with our enemy, and on that theatre my ardent wish was, that our own power should be concentrated to the utmost.

So much, sir, for the war, and for my conduct and opinions as connected with it. And, as I do not mean to recur to this subject often, nor ever, unless indispensably necessary, I repeat the demand for any charge, any accusation, any allegation whatever, that throws me behind the honorable gentleman, or behind any other man, in honor, in fidelity, in devoted love to that country in which I was born, which has honored me, and which I serve. I, who seldom deal in defiance, now, here, in my place, boldly defy the honorable member to put his insinuation in the form of a charge, and to support that charge by any proof whatever.

The gentleman has adverted to the subject of slavery. On this subject, he says I have not proved myself a friend to the South. Why, sir, the only proof is, that I did not vote for his resolutions.

Sir, this is a very grave matter, it is a subject, very exciting and inflammable. I take, of course, all the responsibility belonging to my opinions; but I desire these opinions to be understood, and fairly stated. If I am to be regarded as an enemy to the South, because I could not support the gentleman's resolutions, be it so. I cannot purchase favor, from any quarter, by the sacrifice of clear and conscientious convictions. The principal resolution declared that Congress had plighted its faith, not to interfere, either with slavery or the slave trade, in the District of Columbia.

Now, sir, this is quite a new idea. I never heard it advanced until this session. I have heard gentlemen contend, that no such power was in the constitution; but the notion, that though the constitution contained no prohibition, yet that Congress had plighted its faith, not to exercise such a power, is an entire novelty, so far as I know. I must say, sir, it appeared to me little else than an attempt to put a prohibition into the constitution, because there was none there already. For this supposed plighting of the public faith, or the faith of Congress, I saw no ground, either in the history of the

Government, or in any one fact, or in any argument. I therefore could not vote for the proposition.

Sir, it is now several years, since I took care to make my opinion known, that this Government has, constitutionally, nothing to do with slavery, as it exists in the States. That opinion is entirely unchanged. I stand steadily by the resolution of the House of Representatives, adopted, after much consideration, at the commencement of the Government—which was, that Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them, within any of the States; it remaining with the several States alone to provide any regulations therein, which humanity and true policy may require. This, in my opinion, is the constitution, and the law. I feel bound by it. I have quoted the resolution often. It expresses the judgment of men of all parts of the country, deliberately formed, in a cool time; and it expresses my judgment, and I shall adhere to it. But this has nothing to do with the other constitutional question; that is to say, the mere constitutional question, whether Congress has the power to regulate slavery and the slave trade, in the District of Columbia.

On such a question, sir, when I am asked what the constitution is, or whether any power granted by it, has been compromised away; or, indeed, could be compromised away—I must express my honest opinion, and always shall express it, if I say any thing, notwithstanding it may not meet concurrence either in the South, or the North, or the East, or the West. I cannot express, by my vote, what I do not believe.

He has chosen to bring that subject into this debate, with which it has no concern, but he may make the most of it, if he thinks he can produce unfavorable impressions on the South, from my negative to his fifth resolution. As to the rest of them, they were commonplaces, generally, or abstractions; in regard to which, one may well not feel himself called on to vote at all.

And now, sir, in regard to the tariff. That is a long chapter, but I am quite ready to go over it with the honorable member.

He charges me with inconsistency. That may depend on deciding what inconsistency is, in respect to such subjects, and how it is to be proved. I will state the facts, for I have them in my mind somewhat more fully than the honorable member has himself presented them. Let us begin at the beginning. In 1816, I voted against the tariff law, which then passed. In 1824, I again voted against the tariff law, which was then proposed, and which passed. A majority of New England votes, in 1824, was against the tariff system. The bill received but one vote from Massachusetts; but it passed. The policy was established; New England acquiesced in it, conformed her business and pursuits to it; embarked her capital, and employed her labor, in manufactures; and I certainly admit that, from that time, I have felt bound to support interests thus called into being, and into importance, by the settled policy of the Government. I have stated

this often here, and often elsewhere. The ground is defensible, and I maintain it.

As to the resolutions adopted in Boston, in 1820, and which resolutions he has caused to be read, and which he says he presumes I prepared, I have no recollection of having drawn the resolutions, and do not believe I did. But I was at the meeting, and addressed the meeting, and what I said on that occasion has been produced here, and read in the Senate years ago.

The resolutions, sir, were opposed to the commencing of a high tariff policy. I was opposed to it, and spoke against it—the city of Boston was opposed to it—the Commonwealth of Massachusetts was opposed to it. Remember, sir, that this was in 1820. This opposition continued till 1824. The votes all show this. But in 1824, the question was decided; the Government entered upon the policy; it invited men to embark their property and their means of living in it. Individuals have done this to a great extent; and, therefore, I say, so long as the manufactures shall need reasonable and just protection from Government, I shall be disposed to give it to them. What is there, sir, in all this, for the gentleman to complain of? Would he have us always oppose the policy, adopted by the country, on a great question? Would he have minorities never submit to the will of majorities?

I remember to have said, sir, at the meeting in Faneuil hall, that protection appeared to be regarded as incidental to revenue, and that the incident could not be carried fairly above the principal: in other words, that duties ought not to be laid for the mere object of protection. I believe that was substantially correct. I believe that if the power of protection be inferred only from the revenue power, the protection could only be incidental.

But, I have said in this place before, and I repeat now, that Mr. Madison's publication, after that period, and his declaration that the convention did intend to grant the power of protection, under the commercial clause, placed the subject in a new and a clear light. I will add, sir, that a paper drawn up by Dr. Franklin, and read by him to a circle of friends in Philadelphia, on the eve of the assembling of the convention, respecting the powers which the proposed new Government ought to possess, shows, perfectly plainly, that, in regulating commerce, it was expected Congress would adopt a course, which should, to some degree, protect the manufactures of the North. He certainly went into the convention himself under that conviction.

Well, sir, and now what does the gentleman make out against me in relation to the tariff? What laurels does he gather in this part of Africa? I opposed the *policy* of the tariff, until it had become the settled and established policy of the country. I have never questioned the constitutional power of Congress to grant protection, except so far as the remark goes, made in Faneuil hall, which remark respects only the length to which protection might properly be carried, so far as the power is derived from the authority to lay duties on imports. But the policy being established, and a great part of

the country having placed vast interests at stake in it, I have not disturbed it; on the contrary, I have insisted that it ought not to be disturbed. If there be inconsistency in all this the gentleman is at liberty to blazen it forth; let him see what he can make of it.

Here, sir, I cease to speak of myself; and respectfully ask pardon of the Senate for having so long detained it, upon any thing so unimportant as what relates merely to my own public conduct and opinions.

Sir, the honorable member is pleased to suppose that our spleen is excited, because he has interfered to snatch from us a victory over the Administration. If he means by this any personal disappointment, I shall not think it worth while to make a remark upon it. If he means a disappointment at his quitting us while we were endeavoring to arrest the present policy of the Administration, why, then, I admit, sir, that I, for one, felt that disappointment deeply. It is the policy of the Administration, its principles, and its measures, which I oppose. It is not persons, but things; not men, but measures. I do wish most fervently to put an end to this anti-commercial policy; and if the overthrow of the policy shall be followed by the political defeat of its authors, why, sir, it is a result which I shall endeavor to meet with equanimity.

Sir, as to the honorable member's rescuing the victory from us, or as to his ability to sustain the Administration in this policy, there may be a drachm of a scruple about that. I trust the citadel will yet be stormed, and carried, by the force of public opinion, and that no Hector will be able to defend its walls.

But now, sir, I must advert to a declaration of the honorable member, which, I confess did surprise me. The honorable member says, that, personally, he and myself have been on friendly terms, but that we always differed on great constitutional questions! Sir, this is astounding. And yet I was partly prepared for it; for I sat here the other day, and held my breath, while the honorable gentleman declared and repeated, that he always belonged to the State-rights party! And he means, by what he has declared to-day, that he has always given to the Constitution a construction more limited, better guarded, less favorable to the extension of the powers of this Government, than that which I have given to it. He has always interpreted it according to the strict doctrine of the school of State rights! Sir, if the honorable member ever belonged, until very lately, to the State-rights party, the connexion was very much like a secret marriage. And never was secret better kept. Not only were the espousals not acknowledged, but all suspicion was avoided. There was no known familiarity, or even kindness between them. On the contrary, they acted like parties who were not at all fond of each other's company.

Sir, is there a man, in my hearing, among all the gentlemen now surrounding us, many of whom of both Houses, have been here many years, and know the gentleman and myself, perfectly; is there one, who ever heard, supposed, or dreamed, that the honorable member

belonged to the State-rights party before the year 1825? Can any such connexion be proved upon him—can he prove it upon himself, before that time?

Sir, I will show you, before I resume my seat, that it was not until after the gentleman took his seat, in the chair which you now occupy, that any public manifestation, or intimation, was ever given by him, of his having embraced the peculiar doctrines of the State-rights party.

The truth is, sir, the honorable gentleman had acted a very important and useful part during the war. But the war terminated. Toward the close of the session of 1814–'15, we received the news of peace. This closed the 13th Congress. In the fall of 1815, the 14th Congress assembled. It was full of ability, and the honorable gentleman stood high among its distinguished members. He remained in the House, sir, through the whole of that Congress; and now, sir, it is easy to be shown, that during those two years, the honorable gentleman took a decided lead, in all those great measures, which he has since so often denounced, as unconstitutional and oppressive—the bank, the tariff, and internal improvements. The war being terminated, the gentleman's mind turned itself toward internal administration and improvement. He surveyed the whole country, contemplated all its resources, saw what it was capable of becoming, and held a political faith, not so narrow and contracted as to restrain him from useful and efficient action. He was, therefore, at once, a full length ahead of all others, in measures, which were national, and which required a broad and liberal construction of the constitution. This is historic truth. Of his agency in the bank, and other measures connected with the currency, I have already spoken, and I do not understand him to deny any thing I have said, in that particular. Indeed, I have said nothing capable of denial.

Now allow me a few words upon the tariff. The tariff of 1816 was distinctly a South Carolina measure. Look at the votes, and you will see it. It was a tariff, for the benefit of South Carolina interests, and carried through Congress by South Carolina votes, and South Carolina influence. Even the *minimum*, sir, the so-much-reproached, the abominable *minimum*, that subject of so much angry indignation and wrathful rhetoric, is of Southern origin, and has a South Carolina parentage.

Sir, the contest on that occasion was, chiefly, between the cotton-growers at home, and the importers of cotton fabrics from India. These India fabrics were made from the cotton of that country. The people of this country were using cotton fabrics, not made of American cotton, and, so far, they were diminishing the demand for such cotton. The importation of India cottons was then very large, and this bill was designed to put an end to it, and, with the help of the *minimum*, it did put an end to it. The cotton manufactures of the North were then in their infancy. They had some friends in Congress, but if I recollect, the majority of Massachusetts members, and of New England members were against this cotton tariff of 1816. I

remember well, that the main debate was, between the importers of India cottons, in the North, and the cotton-growers of the South. The gentleman cannot deny the truth of this or any part of it. Boston opposed this tariff, and Salem opposed it, warmly and vigorously. But the honorable member supported it, and the law passed. And now be it always remembered, sir, that that act passed on the professed ground of protection; that it had in it the *minimum* principle, and that the honorable member and other leading gentlemen from his own State, supported it, voted for it, and carried it through Congress.

And now, sir, we come to the doctrine of internal improvement—that other usurpation, that other oppression, which has come so near to justifying violent abruption of the Government, and scattering the fragments of the Union to the four winds. Have the gentleman's State-rights opinions always kept him aloof from such unhallowed infringements of the constitution? He says he always differed with me on constitutional questions. How was it in this, most important, particular? Has he here stood on the ramparts, brandishing his glittering sword against assailants, and holding out a banner of defiance? Sir—sir—sir—it is an indisputable truth, that he is himself the man—the *ipse* that first brought forward, in Congress, a scheme of general internal improvement, at the expense, and under the authority of this Government. He, sir, is the very man, the *ipsissimus ipse*, who, considerately, and on a settled system, began these unconstitutional measures, if they be unconstitutional. And now for the proof.

The act incorporating the Bank of the United States was passed in April, 1816. For the privileges of the charter, the proprietors of the bank were to pay to Government a *bonus*, as it was called, of one million five hundred thousand dollars, in certain instalments. Government also took seven millions in the stock of the bank. Early in the next session of Congress—that is, in December, 1816—the honorable member moved, in the House of Representatives, that a committee be appointed to consider the propriety of setting apart this *bonus*, and also the dividends on the stock belonging to the United States, as a permanent fund for internal improvement. The committee was appointed, and the honorable member was made its chairman. He thus originated the plan, and took the lead in its execution. Shortly afterwards, he reported a bill carrying out the objects for which the committee had been appointed. This bill provided that the dividends on the seven millions of bank stock belonging to Government, and also the whole of the *bonus*, should be permanently pledged, as a fund for constructing roads and canals; and that this fund should be subject to such specific appropriations as Congress might thereafter make.

This was the bill; and this was the first project ever brought forward, in Congress, for a system of internal improvements. The bill goes the whole doctrine, at a single jump. The Cumberland road, it is true, was already in progress; and for that the gentleman had

also voted. But there were, and are now, peculiarities about that particular expenditure, which sometimes satisfy scrupulous consciences; but this bill of the gentleman's, without equivocation or saving clause—without if, or and, or but—occupied the whole ground at once, and announced internal improvement as one of the objects of this Government, on a grand and systematic plan. The bill, sir, seemed, indeed, too strong. It was thought, by persons not esteemed extremely jealous of State rights, to evince, nevertheless, too little regard to the will of the States. Several gentlemen opposed the measure, in that shape, on that account; and among them Colonel Pickering, then one of the representatives from Massachusetts. Even Timothy Pickering could not quite sanction, nor concur in, the honorable gentleman's doctrines, to their full extent, although he favored the measure in its general character. He, therefore, prepared an amendment, as a substitute; and his substitute provided for two very important things, not embraced in the original bill:

First, that the proportion of the fund to be expended in each State, respectively, should be in proportion to the number of its inhabitants.

Second, that the money should be applied in constructing such roads, canals, &c., in the several States, as Congress might direct, *with the assent of the State.*

This, sir, was Timothy Pickering's amendment of the honorable gentleman's bill. And now, sir, how did the honorable gentleman, who has always belonged to the State-rights party, how did he treat this amendment, or this substitute? Which way, do you think, his State-rights doctrine led him? Why, sir, I will tell you. He immediately rose, and moved to strike out the words "*with the assent of the State!* Here is the journal under my hand, sir; and here is the gentleman's motion. And certainly, sir, it will be admitted, that this motion was not of a nature to intimate that he had become wedded to State rights. But the words were not stricken out. The motion did not prevail. Mr. Pickering's substitute was adopted, and the bill passed the House in that form.

In Committee of the Whole on this bill, sir, the honorable member made a very able speech, both on the policy of internal improvements, and the power of Congress over the subject. These points were fully argued by him. He spoke of the importance of the system; the vast good it would produce, and its favorable effect on the union of the States. "Let us, then," said he, "bind the republic together, with a perfect system of roads and canals. Let us conquer space. It is thus the most distant parts of the republic will be brought within a few days' travel of the centre; it is thus that a citizen of the West will read the news of Boston still moist from the press."

But on the power of Congress to make internal improvements; ay, sir, on the power of Congress, hear him! What were then his rules of construction and interpretation? How did he at that time read and understand the constitution? Why, sir, he said that "he

was no advocate for refined arguments on the constitution. The instrument was not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed with plain good sense." This is all very just, I think, sir; and he said much more. He quoted many instances of laws, passed, as he contended, on similar principles, and then added, that "he introduced these instances to prove the uniform sense of Congress, and of the country, (for they had not been objected to,) as to our powers; and surely," said he, "they furnish better evidence of the true interpretation of the constitution, than the most refined and subtile arguments."

Here you see, Mr. President, how little original I am. You have heard me, again and again, contending in my place here for the stability of that which has been long settled; you have heard me, till I dare say you have been tired, insisting that the sense of Congress, so often expressed, and the sense of the country, so fully known, and so firmly established, ought to be regarded as having decided, finally, certain constitutional questions. You see now, sir, what authority I have for this mode of argument. But while the scholar is learning, the teacher renounces. Will he apply his old doctrine, now—I sincerely wish he would—to the question of the bank, to the question of the receiving of bank notes by Government, to the power of Congress over the paper currency? Will he, sir, will he admit that these ought to be regarded as decided, by the settled sense of Congress and of the country? Oh! no. Far otherwise. From these rules of judgment, and from the influence of all considerations of this practical nature, the honorable member now takes these questions with him into the upper heights of metaphysics, into the regions of those refinements, and subtile arguments, which he rejected, with so much decision in 1817, as appears by this speech. He quits his old ground of common sense, experience, and the general understanding of the country, for a flight among theories and abstractions.

And now, sir, let me ask, when did the honorable member relinquish these early opinions and principles of his? When did he make known his adhesion to the doctrines of the State-rights party? We have been speaking of transactions in 1816 and 1817. What the gentleman's opinions then were, we have seen. But when did he announce himself a State-rights man? I have already said, sir, that nobody knew of his claiming that character until after the commencement of 1825; and I have said so, because I have before me an address of his to his neighbors at Abbeville, in May of that year, in which he recounts, very properly, the principal incidents in his career, as a member of Congress, and as head of a Department; and in which he says that, as a member of Congress, he had given his zealous efforts in favor of a restoration of specie currency; of a due protection of those manufactures which had taken root during the war, and, finally, of a system for connecting the various parts of the country by a judicious system of internal improvement.

And he adds, that it afterwards became his duty, as a member of the Administration, to aid in sustaining, against the boldest assaults,

those very measures, which, as a member of Congress, he had contributed to establish.

And now, sir, since the honorable gentleman says he differed from me on constitutional questions, will he be pleased to say what constitutional opinion I have ever expressed, for which I have not his express authority? Is it on the bank power? the tariff power? the power of internal improvement? I have shown his votes, his speeches, and his conduct, on all these subjects, up to the time when General Jackson became a candidate for the Presidency. From that time, sir, I know we have differed; but if there was any difference before that time, I call upon him to point it out—what was the occasion, what the question, and what the difference? And if, before that period, sir, by any speech, any vote, any public proceeding, or by any other mode of announcement whatever, he gave the world to know that he belonged to the States-right party, I hope he will now be kind enough to produce it, or to refer to it, or to tell us where we may look for it.

Sir, I will pursue this topic no farther. I would not have pursued it so far—I would not have entered upon it at all—had it not been for the astonishment I felt, mingled, I confess, with something of warmer feeling, when the honorable gentleman declared that he had always differed from me on constitutional questions.

Sir, the honorable member read a quotation or two from a speech of mine in 1816, on the currency or bank question. With what intent, or to what end? What inconsistency does he show? Speaking of the *legal* currency of the country, that is, the coin, I then said it was in a good state. Was not that true? I was speaking of the legal currency; of that which the law made a tender. And how is that inconsistent with any thing said by me now, or ever said by me?

I declared then, he says, that the framers of this Government were hard-money men. Certainly they were. But, are not the friends of a convertible paper *hard-money men*, in every practical and sensible meaning of the term? Did I, in that speech, or any other, insist on excluding all convertible paper from the uses of society? Most assuredly I did not. I never quite so far lost my wits, I think. There is but a single sentence in that speech which I should qualify if I were to deliver it again—and that the honorable member has not noticed. It is a paragraph respecting the power of Congress over the circulation of State banks, which might perhaps need explanation or correction. Understanding it as applicable to the case then before Congress, all the rest is perfectly accordant with my present opinions. It is well known that I never doubted the power of Congress to create a bank; that I was always in favor of a bank, constituted on proper principles; that I voted for the bank bill of 1815, and opposed that of 1816 only on account of one or two of its provisions, which I and others hoped to be able to strike out. I am a hard-money man, and always have been, and always shall be. But I know the great use of such bank paper as is convertible into hard money, on demand;

which may be called specie paper, and which is equivalent to specie in value, and much more convenient and useful.

On the other hand, I abhor all irredeemable paper; all old-fashioned paper money; all deceptive promises; every thing, indeed, in the shape of paper issued for circulation, whether by Government or individuals, which may not be turned into specie at the will of the holder.

But, sir, I have insisted that Government is bound to protect and regulate the means of commerce, to see that there is a sound currency, for the use of the people.

The honorable gentleman asks, what then is the limit? Must Congress also furnish all means of commerce? Must it furnish weights and scales, and steelyards? Most undoubtedly, sir, it must regulate weights and measures, and it does so. But the answer to the general question is very obvious. Government must furnish all that which none but Government can furnish. Government must do that for individuals which individuals cannot do for themselves. That is the very end of Government. Why, else, have we a Government? And can individuals make a currency? Can individuals regulate money? The distinction is as broad and plain as the Pennsylvania avenue. No man can mistake it, or well blunder out of it. The gentleman asks if Government must furnish for the people ships, and boats, and wagons. Certainly not. The gentleman here only recites the President's message of September. These things, and all such things, the people can furnish for themselves; but they cannot make a currency; they cannot, individually, decide what shall be the money of the country. That, every body knows, is one of the prerogatives and one of the duties of Government; and a duty which I think we are most unwisely neglecting. We may as well leave the people to make war and to make peace, each man for himself, as to leave to individuals the regulation of commerce and currency.

Mr. President, there are other remarks of the gentleman of which I might take notice. But, should I do so, I could only repeat what I have already said, either now or heretofore. I shall, therefore, not now allude to them.

My principal purpose, in what I have said, has been: first, to defend myself—that was my first object; and next, as the honorable member has attempted to take to himself the character of a strict constructionist, and a State-rights man, and on that basis to show a difference, not favorable to me, between his constitutional opinions and my own, heretofore, it has been my intention to show that the power to create a bank, the power to regulate the currency by other and direct means, the power to lay a protecting tariff, and the power of internal improvement, in its broadest sense, are all powers which the honorable gentleman himself has supported, has acted on, and in the exercise of which, indeed, he has taken a distinguished lead in the councils of Congress.

If this has been done, my purpose is answered. I do not wish to prolong the discussion, nor to spin it out into a colloquy. If the hon-

orable member has any thing new to bring forward; if he has any charge to make—any proof, or any specification; if he has any thing to advance against my opinions or my conduct, my honor or patriotism, I am still at home. I am here. If not, then, so far as I am concerned, this discussion will here terminate.

I will say a few words, before I resume my seat, on the motion now pending. That motion is, to strike out the specie-paying part of the bill. I have a suspicion, sir, that the motion will prevail. If it should, it will leave a great vacuum; and how shall that vacuum be filled?

The part proposed to be struck out, is that which requires all debts to Government to be paid in specie. It makes a good provision for Government, and for public men, through all classes. The Secretary of the Treasury, in his letter, at the last session, was still more watchful of the interests of the holders of office. He assured us, bad as the times were, and notwithstanding the floods of bad paper which deluged the country, members of Congress should get specie.

In my opinion, sir, this is beginning the use of good money, in payments, at the wrong end of the list. If there be bad money in the country, I think that Secretaries and other executive officers, and especially members of Congress, should be the last to receive any good money; because they have the power, if they will do their duty, and exercise the power, of making the money of the country good for all. I think, sir, it was a leading feature in Mr. Burke's famous bill for economical reform, that he provided, first of all, for those who are least able to secure themselves. Every body else was to be well paid all they were entitled to, before the ministers of the Crown, and other political characters, should have any thing. This seems to me very right. But we have a precedent, sir, in our own country, more directly to the purpose; and as that which we now hope to strike out is the part of the bill furnished, or proposed originally by the honorable member from South Carolina, it will naturally devolve on him to supply its place. I wish therefore to draw his particular attention to this precedent, which I am now about to produce.

Most members of the Senate will remember, that, before the establishment of this Government, and before, or about the time, that the territory which now constitutes the State of Tennessee was ceded to Congress, the inhabitants of the eastern part of that territory established a government for themselves, and called it the State of Franklin. They adopted a very good constitution, divided into the usual branches of legislative, executive, and judicial power. They laid and collected taxes, and performed other usual acts of legislation. They had, for the present, it is true, no maritime possessions, yet they followed the common forms in constituting high officers; and their governor was not only captain-general and commander-in-chief, but admiral also, so that the navy might have a commander when there should be a navy.

Well, sir, the currency in this State of Franklin became very much deranged. Specie was scarce, and equally scarce were the notes of

specie-paying banks. But the legislature did not propose any divorce of government and people; they did not seek to establish two currencies, one for men in office, and one for the rest of the community. They were content with neighbor's fare. It became necessary to pass what we should call, now-a-days, the civi-list appropriation-bill. They passed such a bill; and when we shall have made a void in the bill now before us, by striking out specie payments, for Government, I recommend to its friends to fill the gap, by inserting, if not the same provisions as were in the law of the State of Franklin, at least something in the same spirit.

The preamble of that law, sir, begins by reciting, that the collection of taxes, in specie, had become very oppressive to the good people of the commonwealth, for the want of a circulating medium. A parallel case to ours, sir, exactly. It recites further, sir, that it is the duty of the legislature to hear, at all times, the prayer of their constituents, and apply as speedy a remedy as lies in their power. These sentiments are very just, sir, and I sincerely wish there was a thorough disposition here, to adopt the like.

Acting under the influence of these sound opinions, sir, the legislature of Franklin passed a law, for the support of the civil list, which, as it is short, I will beg permission to read:

"*Be it enacted by the General Assembly of the State of Franklin, and it is hereby enacted by the authority of the same,* That, from the first day of January, A. D. 1789, the salaries of the civil officers of this commonwealth be as follow, to wit:

"His excellency the governor, *per annum*, one thousand deer skins; his honor the chief justice, five hundred do. do; the attorney general, five hundred do. do; secretary to his excellency the governor, five hundred racoon do; the treasurer of the State, four hundred and fifty otter do.; each county clerk, three hundred beaver do.; clerk of the house of commons, two hundred raccoon do.; members of assembly, *per diem*, three do. do.; justice's fee for signing a warrant, one muskrat do.; to the constable, for serving a warrant, one *mink* do.

"Enacted into a law this 18th day of October, 1788, under the great seal of the State.

"Witness his excellency, &c.

"*Governor, captain-general, commander-in-chief, and admiral in and over said State.*"

This, sir, is the law, the spirit of which I commend to gentlemen. I will not speak of the *appropriateness* of these several allowances for the civil list. But the example is good, and I am of opinion, that until Congress shall perform its duty, by seeing that the country enjoys a good currency, the same medium which the people are obliged to use, whether it be skins or rags, is good enough for its own members.

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